



STATE OF CONNECTICUT

DEPARTMENT OF TRANSPORTATION

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Office of the
Commissioner

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**March 19, 2010 – Public Hearing
Government, Administration & Elections Committee**

**Testimony Submitted by Commissioner Joseph F. Marie
Department of Transportation**

H.B. 5520 – An Act Concerning the Conveyance of Certain Parcels of State Land.

The Department of Transportation (Department or ConnDOT) is opposed to several sections of H.B. 5520, AAC the Conveyance of Certain Parcels of State Land as outlined below:

Section 1 (Bridgeport) - The Department opposes portions of this section. ConnDOT conveyed the subject parcel pursuant to Special Act 07-11 on 10/28/08. Section (b)(2) of the bill allows for access to Route 130 which was specifically denied in the original conveyance. The Bridgeport Port Authority submitted a request for the break in the non-access highway line in this area. ConnDOT's Office of Rights of Way recently circulated this request within the Department as part of our internal concurrence review. As of this date, two of the six Department units reviewing the request have denied this request for the break in access. ConnDOT's Division of Traffic Engineering in particular, does not support the proposed break in the non-access line for the following reasons:

- 1) Any proposed access to Route 130 through the subject non-access line would be located within or near the Yellow Mill Channel Drawbridge traffic signal influence area. The introduction of a driveway would unnecessarily create additional vehicle conflict points and potentially interfere with drawbridge operations;
- 2) The introduction of a driveway would necessitate the need for a Route 130 westbound left turn lane. The existing roadway geometry is not conducive for accommodating the left turn lane due to the proximity of the Yellow Mill Channel Drawbridge located to the west, the traffic signal controlled intersection at Seaview Avenue located to the east, and the horizontal geometry of Route 130 being on a 290 foot radius curve; and
- 3) Analysis indicates that eastbound vehicular queues from the adjacent Route 130 intersection at Seaview Avenue would interfere with traffic operations at a proposed driveway on Route 130.

Section 7 (Marlborough) - The Department opposes this section which proposes a conveyance for open space or economic development purposes for an administrative fee only. If the Town of Marlborough will be selling this parcel for economic development, the State should be paid fair market for all parcels that will be utilized for economic development. There is a reverter clause that states that if the Town sells or leases the property or uses it for another purpose it will revert to the state. This contradicts the economic development use required by the act.

If the Town plans to use the property for economic development, this section of the bill should be revised to transfer the property to the Town of Marlborough for fair market value plus administrative fees. Section (b) can then be eliminated.

Section 8 (Darien) - ConnDOT opposes this proposed conveyance. The parcel in this section is rail property which abuts the New Haven mainline. At present, we lease two parcels to the Friends of Post 53 and have the ability, at any time, to terminate the leases for any railroad purpose. It is not in the Department's or the State's best interest to lose any property along the mainline in Darien which may be needed for a transportation purpose in the future.

Section 14 (Simsbury) – Until a determination is made on the current status, current use or future transportation use of this rail property, the Department is opposed to the proposed conveyance in this section of the bill.

Section 15 (Manchester) – ConnDOT is opposed to this section. There is insufficient language to determine (1) what parcel of land is to be conveyed, (2) if the land is DOT property, and (3) if it is DOT land that is necessary for transportation purposes. A copy of the mapping referenced in the language would facilitate the Department's review of the parcel.

Section 20 (New Britain) - The Department opposes this section. Section 1 of Public 09-4 amended Section 28 of Special Act 07-11 to sell the parcel to the City of New Britain instead of Derek Veil. Section 20 of H.B. 5520 again amends PA 09-4 to convey the parcel for administrative costs only (rather than fair market value plus administrative costs). It further adds that the City of New Britain will sell the parcel for economic development. The State should be paid fair market for all parcels that will be utilized for economic development. There is a reverter clause that states that if the City uses it for another purpose it will revert to the State.

If the City plans to use the property for economic development, this section should be revised to transfer the property to the City of New Britain for fair market value plus administrative fees. Section (b) can then be eliminated.

Another option would be that it can be transferred to the City for an administrative fee, with additional language that states that any proceeds of the sale would be given to the State.

For further information or questions, please contact Pam Sucato, Legislative Program Manager for the Department of Transportation at (860) 594-3013.